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PROVISIONAL SUMMARY RECORD OF THE 6th MEETING

Held at Headquarters, New York,
on Friday, 17 May 1991, at 10 a.m.

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| President: | Mr. DJOUDI | (Algeria) |
| later: | Mr. ELIASSON (Vice-President) | (Sweden) |
| later: | Mr. DJOUDI (President) | (Algeria) |

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The meeting was called to order at 10.30 a.m.

ADOPTION OF THE AGENDA AND OTHER ORGANIZATIONAL MATTERS (continued) (E/1991/74, E/1991/L.17 and L.18)

Enlargement of the membership of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees

Draft resolution E/1991/L.18

Mr. LUKABU KHABOUJI N'ZAJI (Zaire) said that, on 27 September 1990, the Ethiopian delegation had addressed a note verbale to the Secretary-General, in which it had expressed interest in becoming a member of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees in view of the importance of the refugee problem in the Horn of Africa. On behalf of the sponsors, to which Zaire should be added, he wished to submit the draft resolution contained in document E/1991/L.18 and hoped that it would be adopted unanimously. Lastly, if other Member States wished to become members of the Committee, they should so indicate.

IMPLEMENTATION OF THE PROGRAMME OF ACTION FOR THE SECOND DECADE TO COMBAT RACISM AND RACIAL DISCRIMINATION (E/1991/39)

Mr. MARTENSON (Under-Secretary-General for Human Rights) said that implicit in every reference to human rights in both the Charter of the United Nations and the Universal Declaration of Human Rights was a reference to the principle of equal rights, or, in the words of the Declaration: "without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status".

One of the first actions taken by the General Assembly in the field of human rights was to call for the elimination of discrimination in all its forms. Over the years, the United Nations had elaborated international standards against discrimination. That endeavour had resulted in the adoption

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of the Declaration and the International Convention on the Elimination of All Forms of Racial Discrimination, the International Labour Organisation (ILO) Convention concerning Discrimination in Respect of Employment and Occupation, the ILO Convention concerning Equal Remuneration and the United Nations Educational, Scientific and Cultural Organization Convention against Discrimination in Education. On the specific question of apartheid, he referred to the International Convention on the Suppression and Punishment of the Crime of Apartheid, and the International Convention against Apartheid in Sports.

One of the first priorities of the General Assembly in promoting equality and non-discrimination was the fight against apartheid in South Africa, which had led to the adoption of the two Conventions mentioned. For its part, the Ad Hoc Working Group of Experts on South Africa, within the Centre for Human Rights, kept a vigilant eye on developments in South Africa, and the Commission on Human Rights continued its efforts against apartheid. In fact, the principle of non-discrimination was an integral part of all the general human rights instruments of the United Nations.

Another high priority of the United Nations in that field was to promote concerted action by United Nations bodies and specialized agencies, Governments and non-governmental organizations against racism and racial discrimination. Thus, the General Assembly had proclaimed 1973-1983 the "United Nations Decade for Action to Combat Racism and Racial Discrimination" and 1983-1993, the "Second Decade to Combat Racism and Racial Discrimination". In October 1987, the Secretary-General had entrusted him with the task of coordinating the activities of the United Nations system as they related to the objectives of the Decade. He conceived of the responsibility in pragmatic terms and believed that it was necessary to build awareness of the need to fight against racism throughout the system and to foster concrete activities to that end. Discrimination, and especially racial discrimination, was a serious impediment to international action in favour of economic and social development and, therefore, a threat to peace and security. Each agency in the system should make its contribution to anti-discrimination programmes. Of special importance in that context was the

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programme of seminars, meetings and research projects. Thus, the Global Consultation on Racism and Racial Discrimination had been held in 1988 and had produced a series of very important recommendations. In January 1989, the Centre for Human Rights had organized a seminar on the effects of racism and racial discrimination on the social and economic relations between indigenous populations and States. That same year, the Centre had convened another seminar on especially vulnerable groups in order to study relations between countries of origin and host countries of migrant workers. Lastly, a seminar on the political, historical, economic, social and cultural factors contributing to racism, racial discrimination and apartheid had been held in December 1990. The seminar had raised very interesting ideas about the causes of racism and how to deal with them.

The fight against discrimination was also reflected in the publication programme. Reports of the meetings just mentioned had already been published and the report of the 1990 seminar would appear as a publication in June 1991. Among the reports in circulation were the "Global compilation of national legislation against racial discrimination", the scholarly study "The first twenty years: progress report of the Committee on the Elimination of Racial Discrimination" and a fact sheet describing the work of the Committee. The Manual of Human Rights Reporting had also been published, with a chapter on the International Convention on the Elimination of All Forms of Racial Discrimination and another on the Convention against Apartheid. Lastly, a fact sheet on the rights of indigenous populations had been published.

He had also made every effort to work closely with the Committee on the Elimination of Racial Discrimination and the Subcommission on Prevention of Discrimination and Protection of Minorities which, at his suggestion, had decided to organize a joint meeting for the consideration of common topics. Lastly, in the overall human rights programme, an effort had been made to emphasize the fight against racism as a standard element of workshops, training courses and seminars and in the context of the world-wide technical cooperation programme.

In recent years, new insights had been gained into issues relating to racial discrimination; as a result, the achievements of the United Nations in

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that regard could be better appreciated. Among the most important achievements was the destruction of any semblance of legitimacy enjoyed by the policy of separate development known as apartheid, as a result of the long struggle of the African people. Those achievements, together with the positive changes in international relations and the return of democracy in many countries throughout the world, had served to rekindle hopes for peace-keeping and had had a positive impact on the work of the United Nations human rights organs.

However, while ideological struggles had abated, very disturbing signs of nationalistic, ethnic and racial tensions had emerged. Reports of discrimination against such vulnerable groups as immigrants, migrant workers, minorities or gypsies, and of expressions of anti-semitism and xenophobia, were received with increasing frequency. Those new expressions of racism and racial discrimination must be taken into account, drawing on the better understanding acquired of the various causes of racism.

The report contained in document E/1991/39 described a wide range of activities against racism and racial discrimination carried out by United Nations organs and bodies, the specialized agencies and governments. In addition, there was the study on the role of private group action against racism and racial discrimination, submitted to the General Assembly at its forty-fourth session, and the final study on the achievements made and the obstacles encountered during the Decades, prepared by Mr. Asbjorn Eide, Special Rapporteur of the Subcommission.

Referring to the activities scheduled for the 1990-1991 biennium, he said that a meeting of experts would be held in Greenland in October 1991 in order to review national experience in the operation of schemes of internal self-government for indigenous populations. Other initiatives would include the global survey of the extent to which the children of migrant workers were able to receive an education in their mother tongue and a technical study on the impact of article 27 of the International Covenant on Civil and Political Rights. He wished to stress that stable and guaranteed resources were required in order to implement the Programme of the Second Decade. In accordance with General Assembly resolution 42/47, the activities scheduled

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for the period 1990-1991 were incorporated in the work programme of the Centre for Human Rights. However, a corresponding increase in regular resources had not been decided. The allocation of additional resources for adequate implementation of those activities was therefore necessary.

In conclusion, the Economic and Social Council had the role of monitoring the implementation of the Programme of the Second Decade. The Commission on Human Rights and the Subcommission on Prevention of Discrimination and Protection of Minorities had recommended to the General Assembly that a third decade to combat racism and racial discrimination should be launched in 1993. He urged the Council to propose a programme for the new decade, based on its experience of the Second Decade.

Mr. FEYDER (Observer for Luxembourg), speaking on behalf of the European Community and its 12 States members, said that the adoption by the General Assembly of a resolution on the restructuring and revitalization of the United Nations in the economic, social and related fields was an important mark of the Organization's success. The reforms adopted would have an impact on the future work of the Council and enhance the effectiveness and significance of the work of the United Nations in the economic, social and related fields.

With respect to agenda item 2, he said that the European Community and its 12 States members reiterated their condemnation of all forms of discrimination on grounds of race, colour, ethnic origin or nationality and strongly supported all efforts to eliminate it. That had been reaffirmed in their declaration on anti-semitism, racism and xenophobia, done at Dublin on 25 and 26 June 1990.

The struggle against racism and racial discrimination was one of the principal concerns of the United Nations, which should play a fundamental role in building awareness among countries of those two shameful practices. The United Nations must be particularly active in verifying the application of legal instruments and international machinery designed to put an end to those practices. The International Convention on the Elimination of All Forms of Racial Discrimination, which had been ratified by over 130 States, and the adoption by consensus of the two Decades to Combat Racism and Racial

(Mr. Feyder, Observer, Luxembourg)

Discrimination demonstrated the determination of Member States to safeguard the principles of the dignity and equality of all human beings. The European Community and its 12 member States believed that a third Decade would facilitate intensification of national and international efforts to combat all forms of racism and xenophobia; they reaffirmed that decisions on racism should be adopted by consensus.

The work carried out by the Committee on the Elimination of Racial Discrimination was of great importance, and it was most regrettable that the Committee's functioning had been disrupted owing to a lack of financial resources. The European Community and its 12 member States therefore once again urged States parties to the Convention that had not paid their contributions to meet their financial obligations without delay. The United Nations and its Member States had a shared responsibility to discuss and solve in an appropriate manner the financial difficulties experienced by the Committee and other bodies; the Twelve therefore welcomed the adoption of Commission on Human Rights resolution 1991/20, entitled "Effective functioning of bodies established pursuant to United Nations human rights instruments".

The European Community and its member States had always condemned apartheid, as an institutionalized system of State racism depriving the majority of the population of its civil, political, economic and social rights, and advocated the establishment of a unified, non-racial and democratic society. The abolition of apartheid must be achieved by peaceful means, through negotiations and a constructive dialogue between the South African authorities and organizations representative of all the communities living in the country. The important role played by the African National Congress and its leader, Mr. Nelson Mandela, must be stressed in that connection.

The European Community and its member States welcomed the announcement by the South African President concerning the repeal of various laws relating to apartheid, and hoped that the South African Government would pass as soon as possible the bill introduced with a view to eliminating restrictions regarding place of residence and real estate based on racial criteria. The South African Government should refrain from any kind of repressive measure against

(Mr. Feyder, Observer, Luxembourg)

the majority of the South African population, and it should fulfil its undertaking to release all political prisoners, authorize all exiles to return and repeal once and for all the restrictive provisions of the Internal Security Act, thus contributing to the process of reconciliation in South Africa. The Twelve were distressed at the recent violent incidents and urged all the parties concerned to settle their differences solely by peaceful means.

The European Community and its member States would continue to implement and strengthen their programme of assistance to the victims of apartheid and to promote economic cooperation with the Southern African Development Coordination Conference and its nine member States.

In view of the growing manifestations of racism and xenophobia in the world, the European Community and its member States believed that the objectives and programmes of action of the United Nations relating to efforts to combat racism must be broadened. It must be borne in mind, furthermore, that every State had a duty, within its own territory, to implement a national policy designed to prevent and provide protection against racism and xenophobia. Mankind must no longer permit differences regarding race, colour and ethnic or national origin to cause conflicts; such differences must become a source of mutual enrichment, in a world based on tolerance and respect for differences.

Mr. WALKER (Jamaica) said that racism and doctrines promoting racial superiority were still deeply rooted in the practices of many societies, and millions of human beings were still being denied the enjoyment of their fundamental rights on account of racial and ethnic biases. The elimination of racism must therefore be given continued and even more determined attention at the United Nations.

Jamaica shared the commitment to far-reaching measures to eliminate racism and had therefore ratified all the major international instruments condemning racism.

The adoption and strict enforcement of legislation against racial discrimination was a crucial element in the fight against racism. Jamaica was in the process of considering additional legislation for implementation in accordance with the International Convention on the Elimination of All Forms

(Mr. Walker, Jamaica)

of Racial Discrimination and the International Convention on the Suppression and Punishment of the Crime of Apartheid.

The plan of activities for the second half of the Second Decade (1990-1993) was now in progress. In resolution 42/47 the General Assembly accorded the highest priority in executing the plan of activities to measures for combating apartheid. However, the international community must also take concrete measures to combat all other forms of racism and racial discrimination, such as the types of discrimination imposed on indigenous peoples, migrant workers and other vulnerable groups.

On the issue of the racist apartheid system, while there had been several changes in the past year, not all the conditions stipulated by the international community had been fulfilled; the lifting of mandatory sanctions imposed on the apartheid regime was still not warranted. Recently, the Heads of Government of the Caribbean Community, of which Jamaica was currently Chairman, had reaffirmed the unanimous view that sanctions should be maintained until irreversible steps to end apartheid had been taken. The South African President's new approach represented a welcome development. However, the violence now claiming hundreds of innocent lives in South Africa had disrupted progress that was being made and must be ended with urgency, so as to provide the necessary climate for negotiations and national reconciliation. The Special Committee against Apartheid had continued its valuable work and had made important recommendations to put an end to the violence and to renew confidence in the current process. Jamaica reaffirmed its solidarity with the black majority population of South Africa and with all efforts aimed at dismantling the apartheid system.

Conflicts with racial and ethnic aspects also developed in other parts of the world, and prejudice, discrimination and intolerance were directed against ethnic, national, religious and linguistic minorities, indigenous peoples, migrant workers and other vulnerable groups. At its forty-fifth session, the General Assembly had taken two important steps in that connection - the adoption of the International Convention on the Protection of All Migrant Workers and Members of Their Families and the proclamation of 1993 as the International Year for the World's Indigenous Peoples.

(Mr. Walker, Jamaica)

The holding of seminars, training courses, meetings and workshops and the preparation of model legislation for the guidance of Governments to promote the objectives of the Decade were the main activities outlined for the period 1990-1993. The process initiated by the Coordinator to convene inter-agency consultations had brought innovative ideas and positive suggestions for strengthening cooperation and planning of the activities of the Second Decade throughout the United Nations.

Jamaica strongly believed that in order to preserve the integrity of the Programme the various activities must be accompanied by the necessary financial resources and must not be limited to the resources available for the Centre's regular work programmes. The General Assembly had emphasized the need to include in the programme budget for the biennium 1992-1993 sufficient resources to provide for the implementation of activities under the Second Decade. In addition, ways should be sought of increasing voluntary contributions to the Trust Fund for the Decade, which would supplement the regular resources.

Mr. JIN Yongjian (China) said that his delegation was glad to note the progress made in the past year in the implementation of the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination. It was gratifying that some of the projects provided for in the biennial plan for the period 1990-1991 had been implemented and that progress had been made in the work on the global compilation of national legislation against racism and racial discrimination and the model legislation prepared by the Secretary-General. Attention should also be drawn to the research on racism and racial discrimination from the angle of vulnerable groups and to the adoption by the General Assembly of the International Convention on the Protection of All Migrant Workers and Members of Their Families. All the activities in question had contributed greatly to the realization of the goals laid down in the Programme of Action.

In the past year the peoples of the world had made gratifying progress in their struggle against racism. The accession of Namibia to independence, as a result of the struggle waged by the indomitable Namibian people and the

(Mr. Jin Yongjian, China)

concerted efforts of the international community, had given the international struggle against racism, racial discrimination and apartheid new vitality.

Unfortunately, the large black population in South Africa continued to live under the racist apartheid system. Although in recent years the South African authorities had been forced to adopt a number of measures to alleviate racial contradictions, only limited progress had been made as yet. The South African President's proposal to repeal basic laws on apartheid had yet to be implemented, and his promise to remove obstacles to constitutional negotiations had yet to be completely fulfilled. Under those circumstances, the international community should continue to support the South African people in their fight against racism, as well as the reasonable proposals put forward by the anti-apartheid organizations in South Africa and African States, and should maintain sanctions so as to force the South African authorities to abolish the apartheid system entirely and accelerate the process leading to a political settlement of the South African question. China wished to call, in particular, on those countries and economic groups that had political, economic and military influence over South Africa to continue to fulfil their obligations and to make contributions to the world-wide anti-racist cause and to the South African people's struggle against apartheid. It was convinced that the South African people would succeed in establishing a unified, democratic and genuinely equal new South Africa.

Today, the concept of full equality without distinction as to race, sex, language or religion, as a fundamental human right, had been accepted by the vast majority of countries and peoples. Nevertheless, the international community's task of combating racism was far from fulfilled. The international community in general and the United Nations in particular should continue to give the highest priority to programmes for combating racism, racial discrimination and apartheid and make greater efforts to provide assistance especially to the peoples in South Africa and the territories under alien domination who were victims of racism and other forms of racial discrimination. Various United Nations bodies should continue to provide the necessary resources to ensure the implementation of the activities for the two biennial plans for the Second Decade (1990-1991 and 1992-1993). The United

(Mr. Jin Yongjian, China)

Nations should also strengthen the Committee on the Elimination of Racial Discrimination and provide it with the necessary financial resources so as to enable it to play a more active role in the promotion of more general accession to the International Convention on the Elimination of All Forms of Racial Discrimination.

China fully supported the proposal for the announcement, at an appropriate time, of the Third Decade to Combat Racism and Racial Discrimination beginning in 1993. The Chinese Government and people would, as always, continue to support the South African people in their just struggle and to condemn the criminal acts of the South African authorities.

Mr. AYALA LASSO (Ecuador) said that, with regard to the Second Decade to Combat Racism and Racial Discrimination, the effort made by the United Nations system in 1990 responded not only to the urgent need for the universal conscience to assume the duty of never countenancing governmental practices or social behaviour that might promote racist and discriminatory actions; and that the universal conscience should impose the obligation on all States and persons to combat racism and racial discrimination. Nevertheless, frequently deep-rooted attitudes persisted that made it possible for racist and discriminatory practices to be perpetuated with the false justification of custom or, yet more seriously, because it was supposedly impossible to oppose them owing to political and social pressures in favour of those practices. It was, therefore, then that greater concern should be shown to demonstrate the falsehood of those justifications and indicate clearly the correct paths that should be followed.

International solidarity should be the support and the incentive of the struggle against racism, and the Second Decade imposed that dual function on the United Nations system as a whole. Consequently, there should be a mechanism of the international community to provide support for every group of individuals and to the individuals who assumed the responsibility of combating racism and racial discrimination. Moreover, the United Nations was obliged to disseminate the fundamental principles on which the struggle against racism and racial discrimination was based and, likewise, to suggest concrete actions

(Mr. Ayala Lasso, Ecuador)

for that struggle. In that regard, it was necessary always to bear in mind the proposals of the competent organs of the United Nations.

His delegation believed that all the efforts of the international community in its struggle against racism and racial discrimination had not been sufficient, since it was not possible to affirm that all Governments showed the same readiness to eliminate discriminatory practices and measures. Owing to the persistence of those practices and measures, the United Nations could not reduce the impetus that had been given to the Second Decade. The challenge facing the Second Decade was, precisely, the search for new ways to overcome old obstacles. The Economic and Social Council should respond to that challenge, together with all the organs of the United Nations system. The new order that efforts would be made to establish in the world could not function in an ambience where injustices and inequalities subsisted.

Ecuador had signed and ratified all the international and regional conventions in favour of human rights and, consequently, in favour of the elimination of racial discrimination. Ecuador believed that apartheid was the most inauspicious of all forms of racial discrimination and believed that that social blemish could not be modified but must be completely eliminated. Progress had been made for some time past in the elimination of apartheid in South Africa, and that trend should be promoted, but without any slackening of the efforts to achieve its total elimination.

His delegation recognized that in Ecuador there were some sectors that showed greater social vulnerability or lacked the resources common to the rest of the population and that there existed a fundamental indigenous component in the population of the country. That had prompted the Ecuadorian Government to adopt special development plans and, in particular, legal and social protection plans, conceived in a framework that impeded the establishment of differences that might prove discriminatory. Ecuador had adopted many measures to ensure that all individuals and communities might have access to all public services and to guarantee legal equality before the law and facilitate the full exercise of individual and community rights and guarantees. Furthermore, within the framework of the programme of action for the second decade, the Ecuadorian Government had established an annual work

(Mr. Ayala Lasso, Ecuador)

plan coordinated by the Directorate of Human Rights of the Ministry of Foreign Affairs. In 1991, that plan would carry out tasks involving national dissemination of the fundamental achievements of the international community in its struggle against racism and racial discrimination and would coordinate the Government's activities in that area. The permanent attitude of the Government of Ecuador and the habitual behaviour of its people made it possible for his delegation to reiterate its full readiness to collaborate with the Economic and Social Council and with the organs and committees of the United Nations in all the tasks required by the challenges facing the international community, with a view to achieving equality in the world.

Mr. SAVLE (Yugoslavia) said that the elimination of racism and racial discrimination was a common concern of mankind and that the current session of the Economic and Social Council constituted a good opportunity for congratulating the United Nations on its work for the definitive elimination of those blemishes. Nevertheless, the fact that the inhuman system of apartheid still persisted was an unacceptable anachronism. Although advances had been made in the elimination of apartheid, that system had not yet disappeared and continued to weigh on the conscience of mankind. To deny the majority of the population of South Africa fundamental human rights represented an enormous obstacle to the normal development of that country and of Africa in general. It was to be hoped that the measures announced by the Government of South Africa, designed to eradicate apartheid totally, would be applied without delay. The international community should insist on that.

The United Nations should pursue its efforts to put an end to all forms of discrimination based on race, colour and ethnic or national origin that, regrettably, still existed in many parts of the world and represented a permanent threat to the social peace and a possible cause of national or even international conflict.

His delegation appreciated the efforts to coordinate more effectively the various programmes currently under implementation by the United Nations system within the framework of the Second Decade and expressed its special appreciation to the organs that had the greatest responsibilities in that regard, such as the Committee on the Elimination of Racial Discrimination.

(Mr. Savle, Yugoslavia)

The meeting held in August 1991 between members of that Committee and members of the Subcommission on Prevention of Discrimination and Protection of Minorities, the initiative to establish cooperation between that Committee, on the one hand, and the European Parliament and the Commission of the European Communities on the other and the Committee's intention to consider at its next session its relations with non-governmental organizations were elements that showed that the Committee on the Elimination of Racial Discrimination was prepared to collaborate in its activities with other United Nations organs and other international entities.

The Centre for Human Rights had also done commendable work in implementing the programme of action for the Second Decade, in cooperation with the Committee on the Elimination of Racial Discrimination. Also worthy of praise were the work done and the results obtained by the Ad Hoc Working Group of Experts on human rights in South Africa, in which Yugoslavia had participated for several years.

His delegation commended the General Assembly's approval at its forty-fifth session of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families. Yugoslavia had participated from the very beginning in the work relating to the Convention, guided, on the one hand, by its general interest in human rights and, on the other, by the necessity of establishing a universal framework for the protection of migrant workers and their families, since some hundreds of millions of them were Yugoslavian.

The important changes that had taken place in international relations had highlighted the necessity of recognizing and respecting the rights of national minorities in the countries in which they lived. One of the measures adopted by the United Nations to facilitate the constructive solution of the problems of minorities had been the establishment, on Yugoslavia's initiative, of an open-ended working group entrusted with the task of drafting a declaration on the protection of national, ethnic, religious and linguistic minorities. He hoped that the drafting of that document would be finalized at the next session of the Commission on Human Rights in 1992 and ready for adoption at the forty-seventh session of the General Assembly.

(Mr. Savle, Yugoslavia)

The Movement of Non-Aligned Countries had always regarded racism and racial discrimination as an anachronism and a disgrace to civilization. Together with the other non-aligned countries and with the active support of the United Nations, Yugoslavia would continue its efforts to combat racism and other forms of intolerance anywhere in the world where they occurred and would contribute to the acceleration of the process of the final elimination of racial discrimination in South Africa.

Mr. Eliasson (Sweden) took the Chair.

Mrs. WARZAZI (Morocco) said that the grave problem of racism and racial discrimination had since 1960 provoked a reaction from the international community, which had adopted measures within the framework of the General Assembly, the Economic and Social Council, the Commission on Human Rights and other United Nations bodies. That reaction had been due to the emergence in various countries of manifestations of racism or religious intolerance. In addition, since 1960, many countries which had suffered colonialism and its consequences and had provided the impetus for great activity in the drafting of international instruments against racism had become Members of the United Nations. Since that time, the question of racism and racial discrimination was included in all the programmes of the United Nations and various specialized agencies.

The fact that, three decades later, the international community had to continue to deal with racism and racial discrimination and measures to combat that scourge should arouse grave concern.

The Second Decade to Combat Racism and Racial Discrimination, which, like the first, had had somewhat disappointing results, was about to end. Mobilization by the United Nations system to combat racism would have had better results had it not been for a lack of resources.

Although there were welcome achivements at the international level, it must be acknowledged that racism, far from weakening, seemed to be springing up where it might least be expected. In that connection, on 21 March 1991, the Secretary-General of the United Nations had noted that the International Day for the Elimination of Racial Discrimination had been observed under more favourable circumstances in that the Government of South Africa had made

(Mrs. Warzazi, Morocco)

substantial progress towards eliminating the system of apartheid. Yet, the Secretary-General had also made reference to the incidents of interracial violence in South Africa which had led to thousands of deaths and which might have severe consequences, in the political sphere above all, since the confrontations might block negotiations to eliminate the odious system of apartheid.

Her delegation hoped that the South African Government would redeem its pledge to abrogate the apartheid legislation no later than the end of June, and trusted that the negotiations being conducted with the Government by the African National Congress and all other political organizations would lead to the establishment of a unified, democratic and non-racial South Africa.

Regrettably, interracial confrontations with their ensuing victims were not only taking place in South Africa, as shown by the distressing and bloody events in Liberia. Similarly, the violent clashes between minorities in various countries in Eastern Europe gave cause for concern. A wave of xenophobia had sullied the process of democratization in various regions. In that connection her delegation wished to comment, once more, on the critical situation of migrant workers. Surveys showed a disquieting spread of racism among the populations of host countries. Racism was becoming an everyday phenomenon and had even reached the stage of appearing in computer games sold in certain countries, for example, Austria. The Ministry of Education of Austria had asked the public to provide it with any information which would allow such racist games to be eliminated.

The question of indigenous peoples made the outlook with regard to racism and racial discrimination more sombre. Her delegation welcomed the fact that 1993 had been declared the International Year for the World's Indigenous People. It was to be hoped that public opinion would thus appreciate the need to protect the rights of indigenous peoples, whose cultures and languages had long been recognized as constituting part of the cultural heritage of mankind.

Peoples were destined to live together, and to come to know and respect each other. There could be no place for exaggerated nationalism, racial superiority, xenophobia or racism. It was desirable and necessary for a third decade to combat racism and racial discrimination to be declared, so that

(Mrs. Warzazi, Morocco)

public awareness would be maintained and the international community would continue to mobilize in opposition to racism.

Mr. MALONE (Canada) said that Canada, as a multicultural society, took a particular interest in the implementation of the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination. Racism and racial discrimination conflicted with the ideals and laws of the country. Nevertheless, in spite of legislative and judicial guarantees, no society, including Canada, was free of racism. What was needed was not just a change in laws, but a fundamental change in attitudes. One of the keys to creating such changes in attitudes was public education.

The Committee on the Elimination of Racial Discrimination must have the human and financial resources it needed to discharge its tasks. His delegation was gratified that some progress had been made towards ensuring that the Committee was given those resources, through a temporary allocation of funds to treaty bodies experiencing financial difficulties.

While all countries, including Canada, were affected by racism, only in apartheid South Africa had racism become the basis for structuring an entire society. For decades the South African Government had ignored the abhorrence expressed by the whole world for that odious system, and had only recently begun to dismantle apartheid and create a climate in which negotiations on a genuinely non-racial democracy could take place. The time had now come to evaluate the promise by the Government of South Africa. The fate of political prisoners was crucial to both the negotiating process and the international response to it. As at 30 April, the Government had released some 933 political prisoners, but many claimed that hundreds of political prisoners remained. His delegation hoped that the gap would soon be narrowed by the Government's recent decision to continue processing release applications, to grant an extra six months' remission of sentences, and to allow the International Committee of the Red Cross access to prisoners.

The situation of tens of thousands of exiles was still more disturbing. To date, only a few hundred had returned, and the vast majority were awaiting further guarantees. The agreement between the Government and the Office of the United Nations High Commissioner for Refugees (UNHCR) on the issue of an

(Mr. Malone, Canada)

amnesty was once again in doubt. Canada, which had played a role in obtaining General Assembly authority for a UNHCR role in the return of exiles, and which in June had pledged some $5.8 million for the repatriation and resettlement of exiles and prisoners, could not accept continued rejection by the South African Government of standards for humanitarian monitoring which were accepted around the world. If the Pretoria Government was serious about political normalization, it would grasp the nettle now and admit UNHCR.

While it was encouraging that the South African authorities had indicated their intent to eliminate preventive detention and to lift restrictions on the media, organizations and public gatherings, the proposed legislation did not go far enough. The Public Safety Act remained intact, and still gave the authorities full powers to declare areas of unrest and states of emergency. Political freedom would remain incomplete as long as such statutes remained on the books.

The sanctions adopted by Canada and other Commonwealth countries were intended to bring Pretoria to the negotiating table and to keep it there until fundamental change had been irreversibly secured. Accordingly, at their meeting in London in February, the Ministers for Foreign Affairs of the Commonwealth had decided to relate any changes in sanctions to real and practical steps to dismantle apartheid. They had agreed to maintain existing measures until the South African Government released the remaining political prisoners, cleared the way for exiles to return home, and reviewed and repealed repressive security legislation and the Group Areas, Land and Population Registration Acts.

The Ministers had also agreed to maintain trade, investment and financial sanctions until further constitutional reforms had been adopted in South Africa, and had further decided that the arms embargo and related measures would be removed only when a new constitution was in place.

The formal negotiations on a new constitution for South Africa were within reach. Most major parties agreed that the negotiations should begin with an all-party conference on constitutional principles. With the aim of facilitating the preparations for such negotiations, Canada was contributing

(Mr. Malone, Canada)

$2.3 million for consultations and research into key issues facing a post-apartheid South Africa.

Yet the recent violence, which since the previous summer had killed almost 2,000 and which everyone seemed powerless to stop, threatened those bright prospects. The solution to violence could never be more violence; it must be reached through negotiation. His delegation noted the encouraging progress in discussions between the African National Congress and the Government on ending the violence, and hoped to see those discussions continue. He urged all parties in South Africa to rise above narrow partisan considerations for the good of their country, and to redouble their efforts to bring violence to an end.

Mr. Djoudi (Algeria) resumed the Chair.

Mr. KUKAN (Czechoslovakia) said that racism continued to be one of the world's grave problems, and that although the various theories of racial superiority had been discredited, one still found expressions of racial intolerance that were more or less on the order of social conflicts but stemmed from cultural or ethnic differences. There were a number of reports of discrimination against immigrants from the developing world, migrant workers, and national, ethnic, linguistic or religious minorities, and cases of anti-semitism and xenophobia were on the rise. At the same time, Governments and the public were usually ignorant of such phenomena or tended to blame the victims themselves for them. The way of living, the culture, religion, history and traditions of the groups discriminated against were often taken to be the causes of the discrimination.

Czechoslovakia believed that the struggle against racism and racial discrimination was an integral part of any effort to achieve democracy and respect for the person. At a time when the process of doing away with racial discrimination as a state policy was steadily becoming irreversible, the United Nations must redouble its efforts to eradicate the manifestations of racism from the everyday life of the entire international community. Discrimination was never moral or acceptable.

In order to achieve those aims, it was essential to implement fully the International Convention on the Elimination of All Forms of Racial

(Mr. Kukan, Czechoslovakia)

Discrimination of 1966. Unfortunately, concrete reports continued to come from all parts of the world about violations of the principles of the Convention. Specifically, various forms of racial intolerance in Europe had prompted the European Parliament the previous July to adopt a special report containing a number of recommendations for the gradual elimination of discrimination.

Compliance with the formal aspects of the Convention was also far from satisfactory. A number of Contracting Parties had failed to fulfil their financial or reporting obligations under the Convention. To resolve the financial problems, it would be useful in the future to consider the possibility of funding the activities of the Committee on the Elimination of Racial Discrimination from the regular budget of the United Nations. Czechoslovakia favoured that idea, as it had stated during the forty-fifth session of the General Assembly. Cooperation and the exchange of information between the Committee and the Subcommission on Prevention of Discrimination and Protection of Minorities should also be intensified.

In Czechoslovakia, the protection of human rights, without distinction of any kind, was based on the Charter of Fundamental Human Rights and Freedoms adopted on 9 January 1991. That document was going to be the cornerstone of a new Constitution of the Republic. By virtue of the Charter, all international human rights treaties to which Czechoslovakia was a party became law.

Despite the existing legal guarantees in Czechoslovakia, it was necessary to continue educating the population on respect for the principles of the Convention in order to overcome the ignorance, suspicion and deep-rooted prejudice that were the breeding-ground for racist attitudes. The relations between the members of the various national minorities and ethnic groups or between some citizens and the families of foreign workers were a critical problem in practically all the countries in Central and Eastern Europe. The manifestations of intolerance were alarming and had been condemned by the Czech and Slovak general public.

Czechoslovakia advocated the complete eradication of racism and racial discrimination and had a high opinion of the role played by the United Nations in that regard. The importance of international cooperation within the

(Mr. Kukan, Czechoslovakia)

framework of existing mechanisms had been proven by the step-by-step elimination of apartheid in South Africa, which was one of the most important tasks set by the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination. His delegation supported the proposal to declare a Third Decade to Combat Racism and Racial Discrimination, which would focus primarily on disseminating information on the legislative measures adopted by countries and on eliminating racial prejudice through instruction and education.

Mr. MARKER (Pakistan) said that the United Nations Charter and the Universal Declaration of Human Rights set forth as a basic objective the respect for human rights and fundamental freedoms for all, without distinction as to race, colour, sex, language or religion. However, such noble goals had not been achieved in practice, and it was no wonder that the United Nations had had to take a firm stand on phenomena such as racism and racial discrimination and to help combat racial crimes in legally binding instruments such as the International Convention on the Elimination of All Forms of Racial Discrimination, the International Convention on the Suppression and Punishment of the Crime of Apartheid and the International Convention against Apartheid in Sports. The General Assembly, in resolution 38/14, had decided to give the highest priority to that question by proclaiming the Second Decade to Combat Racism and Racial Discrimination and adopting a broad Programme of Action to combat such practices, while also drawing attention to the plight of other vulnerable groups such as migrant workers, the children of minorities, and indigenous peoples.

The most extreme and inhuman form of racism was the system of apartheid in South Africa, condemned by the United Nations as a crime against humanity and a serious threat to international peace and security. The General Assembly, in its historic Declaration on Apartheid and Its Destructive Consequences in Southern Africa, adopted at its sixteenth special session, had underscored the need to transform South Africa into a non-racial democracy through the establishment of a new constitutional order determined by the people of South Africa. One year and a half after the adoption of the Declaration, the South African authorities still had not created the necessary

(Mr. Marker, Pakistan)

climate for negotiations, nor had they complied with the agreements reached with the African National Congress the previous summer, namely, for the release of political prisoners and the return of exiles without risk of detention or harassment by security forces.

On 1 February 1991, President De Klerk had announced that the Government was going to repeal the two Land Acts and the Group Areas Act, to consider repealing the Population Registration Act and to amend the Internal Security Act. Those were steps in the right direction but did not go far enough in completely dismantling the pillars of apartheid. They should not mislead the international community, because they did not constitute the "clear evidence of profound and irreversible changes" referred to in the Declaration. Consequently, he believed that to ease sanctions against South Africa at the current stage, before real changes had taken place, would be counterproductive and premature.

He commended the Secretary-General for his report on the implementation of the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination (E/1991/39), clearly describing the relevant activities under way within the United Nations. The report stressed the importance of education against racism and the need to publicize the Convention on the Elimination of All Forms of Racism and Racial Discrimination and promote its ratification by Governments. Priority should be given to programmes for the period 1983-1993 that had not yet been implemented and to the preparations for the Third, and hopefully the final, Decade to Combat Racism and Racial Discrimination. Also, bodies like the Committee on the Elimination of Racial Discrimination, which did excellent work in monitoring the implementation of the Convention, should be strengthened.

Consideration of the agenda item would not be complete without a clear condemnation of the repression inflicted by Israel on the Palestinian and Arab peoples in the occupied Arab territories. Pakistan affirmed its support for the just struggle of the Palestinian people to regain its inalienable rights. Lastly, Pakistan wished to point out that it had consistently supported all United Nations actions and resolutions aimed at the elimination of racism, racial discrimination and the apartheid system in South Africa. Racial

(Mr. Marker, Pakistan)

discrimination did not exist in Pakistan because under the Constitution all citizens were equal before the law without distinction as to race, colour or national or ethnic origin. The Prime Minister of Pakistan had reaffirmed that in a message on the occasion of the International Day for the Elimination of Racial Discrimination, stating that apartheid was repugnant to the tenets of Islam and constituted a gross violation of human rights and fundamental freedoms, and urging the enforcement of comprehensive, mandatory sanctions against the South African regime and the proscription of all contacts with South Africa.

Mrs. WARZAZI (Morocco) said that when she had referred to growing racism in certain countries and alluded to the computer games being sold in the streets in Austria, she had not meant to imply that the Austrian Government was doing nothing to combat such practices. Referring to the relevant part of her statement, she hoped that the delegation of Austria would not misinterpret her words.

The meeting rose at 12.50 p.m.